

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE

6500 CHERRYWOOD LANE
GREENBELT, MARYLAND 20770
301-344-0632

MEMORANDUM

TO: Counsel of Record

Lisa Popeck-Zisserson
5801 Nicholson Lane, #1915
Rockville, MD 20852

FROM: Judge Peter J. Messitte

RE: United States v. Lisa Popeck
Criminal No. PJM 09-149

DATE: October 20, 2015

* * *

On September 30, 2015, Defendant Lisa Popeck-Zisserson filed correspondence with the Court requesting an adjustment to or termination of her restitution obligations. ECF No. 77. She claims that she is finding it difficult to meet her \$400 monthly payment obligations. On October 14, 2015, the Government filed a response, noting that she provided no documentation substantiating her claim of financial hardship. ECF No. 79. The Government thus asks the Court to deny the request or, in the alternative, to deny the request pending Ms. Popeck-Zisserson's prompt production of materials that would enable the Court to assess her request.

The Court agrees with the Government. Before it acts on the request, she **MUST** file with the United States Attorney's Office the following within sixty (60) days:

- i) financial documents demonstrating her present financial situation (e.g., bank and credit card statements for the last twelve months, for any and all accounts held by her and/or her husband; records of rental payments made by her for the last twelve months); and
- (ii) a sworn affidavit from her identifying her and her husband's sources of income (including any and all payments made from retirement accounts such as 401(k)s, IRAs, etc.), as well as all their monthly expenses, and explaining what amount of monthly restitution would, in her estimation, be reasonable given her income and liabilities.

Upon receipt of this information, the Government within thirty (30) days **SHALL** file a written response within thirty (30) days with the Court, indicating its position with respect to the case.

Despite the informal nature of this ruling, it shall constitute an Order of the Court and the Clerk is directed to docket it accordingly.

/s/

PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE

cc: Court File